

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

MOBILE TELECOMMUNICATIONS	§	
TECHNOLOGIES, LLC,	§	
Plaintiff,	§	
v.	§	Case No. 2:13-cv-259
SAMSUNG TELECOMMUNICATIONS	§	
AMERICA, LLC,	§	
Defendant.		

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**MEMORANDUM ORDER**

Before the Court is Defendant Samsung's Motion for Leave to File a Motion to Exclude the Supplemental Expert Report of Dr. Ray Nettleton (Dkt. 275, the "Motion for Leave"). Samsung attaches the substantive Motion to Exclude (Dkt. 275-2, the "Motion to Exclude").

Samsung's Motion for Leave is **GRANTED**. Samsung's Motion to Exclude is **DENIED**, as the Court finds that Samsung had adequate notice of the substance of Dr. Nettleton's opinions. To the extent that Samsung's objection is based on the premise that Dr. Nettleton has not "identif[ied] what would constitute 'message codes' assigned to his purported 'canned messages,'" the Court notes that Dr. Nettleton will be held to the scope of his expert reports at trial. MTEL should be prepared to immediately and specifically direct the Court to the supporting portion of Dr. Nettleton's expert reports that provide support for any testimony it intends to offer.

**Signed this date.**

**Dec 13, 2014**

  
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ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE